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INCOMING TELEGRAM Department of State

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REF: A) STATE 154326: B) SAIGON 20328.

LIMDIS

1. DIRECTORATE SECGEN PHAM XUAN CHIEU TOLD EMBOFF MORNING MARCH 15 HE BELIEVED CA AND DIRECTORATE WOULD REACH FULL AGREEMENT THIS WEEK ON FINAL DRAFT OF CONSTITUTION. DIRECTORATE PREPARED MAKE SEVERAL MAJOR CONCESSIONS, ACCEPTING SUCH ARTICLES AS 41 (REMOVAL OF CABINET BY THREE-QUARTERS VOTE ASSEMBLY). AND 70 (ELECTED PROVINCE CHIEFS MODIFIED BY PROVISO PRESIDENT CAN APPOINT THEM DURING FIRST TERM). HOWEVER, DIRECTORATE NOT PREPARED EXTEND LIFE CA AND TRANSFORM IT INTO LEGISLATIVE ASSEMBLY, ALTHOUGH READY TO REAPPOINT CA BY DECREE TO DRAFT ELECTORAL LAWS FOR PRESIDENTIAL AND ASSEMBLY ELECTIONS AND "PARTICIPATE" IN CONTROL OF

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ELECTIONS. (IN REPLY TO QUESTION BY EMBOFF, HIEU AFFIRMED ROLE DIRECTORATE ENVISAGES FOR CA IS SIMILAR TO THAT OF ELECTION LAW DRAFTING COMMITTEE OF MAY-JUNE 1966).

2. IN DEALING WITH QUESTION OF TRANSITION, CHIEU SAID DIRECTORATE HAS COME TO BELIEVE THAT BEST MEANS OF ASSURING STABILITY AND CONTINUITY DURING WHAT THEY BELIEVE WILL BE POLITICALLY DANGEROUS PERIOD IS FOR DIRECTORATE TO RETAIN ITS PRESENT POWERS UNTIL BOTH PRESIDENT AND NATIONAL ASSEMBLY ELECTED. AT THAT POINT DIRECTORATE WILL TRANSFER EXECUTIVE POWERS TO PRESIDENT AND LEGISLATIVE POWERS TO NATIONAL ASSEMBLY. HE SAID DIRECTORATE SAW NO REASON FOR FEW WEEKS BETWEEN PRESIDENTIAL AND ASSEMBLY ELECTIONS, AS DID UNITED STATES, PHILIPPINES, ETC. CONSTITUTION WOULD BE PROMULGATED IN NEAR FUTURE, BUT WOULD NOT ENTER INTO FORCE UNTIL AFTER ASSEMELY ELECTIONS, ACCORDING TO DIRECTORATE FORMULA. ELECTIONS FOR

(2)

SECRET

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY Ivan Izenberg DATE 10/5/81
RDS ☐ or XDS ☐ EXT. DATE
TS AUTH. REASON (S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED ☑ RELEASABLE ☑
RELEASE DENIED ☐
PA or FOI EXEMPTIONS

DECLASSIFIED

PRESIDENT AND ASSEMBLY WILL BE HELD AS SOON AS PRACTICABLE, WITH ASSEMBLY ELECTIONS FOLLOWING VERY

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SHORTLY AFTER PRESIDENTIAL ELECTIONS. (CHIEU DID NOT MENTION ANY TIME-TABLE OR DATES) CHIEU BELIEVES CA WILL ACCEPT THIS PROPOSITION.

3. CHIEU SAID THAO CA ASKING ONE ADDITIONAL MAJOR CONCESSION FROM DIRECTORATE, AN OFFICIAL DECLARATION OF INTENT NOT USE ARTICLE 20 OF DECREE 21/66. HE EXPRESSED BELIEF THIS WAS DANGEROUS MOVE FOR DIRECTORATE TO MAKE, ALTHOUGH BOTH THIEU AND KY HAD TOLD HIM EARLIER ON MARCH 14 THEY FAVORED DOING SO RIGHT AWAY. CHIEU SAID HE THOUGHT DIRECTORATE WILL AGREE, BUT PROBABLY NOT UNTIL LAST CHANGES HAVE BEEN MADE IN CONSTITUTION SO THAT FINAL DRAFT RECEIVES DIRECTORATE APPROVAL.

4. DURING LUNCH MARCH 15 WITH POLITICAL COUNSELOR BUI DIEM EXPRESSED OPINION THAT DIRECTORATE AND CA WOULD REACH FINAL AGREEMENT THIS WEEK. HE SAID KY THINKING IN TERMS OF ONE MONTH PERIOD BETWEEN PRESIDENTIAL AND ASSEMBLY ELECTIONS. HE ALSO SAID KY PRESSING CHIEU TO BE MORE CONCILIATORY TOWARD CA IN ORDER INSURE FULL AGREEMENT REACHED THIS WEEK, AND THAT

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KY FAVORS ACCORDING CA SOME LEGISLATIVE POWERS IN ADDITION TO DRAFTING ELECTION LAWS.

5. CA DEBATING DIRECTORATE RECOMMENDATIONS TODAY MARCH 15& AND SCHEDULED TO REPLY TO DIRECTORATE MARCH 16.

6. COMMENT: ON BASIS CONVERSATIONS WITH CHIEU AND BUI DIEM WE BELIEVE DIRECTORATE AND CA WILL REACH FINAL AGREEMENT, PROBABLY NO LATER THAN MARCH 18. LODGE RT

NOTE: PASSED S/S-O, WHITE HOUSE, DOD, CIA, USIA, NSA AT 9:35 AM 3/15/67

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